

From: Juan Lang
To: Microsoft ATR
Date: 1/23/02 3:01pm
Subject: Microsoft Settlement

I would like to comment on the proposed final judgment against Microsoft. I have signed Dan Kegel's open letter, as it addressed many points I had not considered. However, I felt that adding my own words was also important.

The main problem I see with the proposed judgment is that it only seems to protect competing companies. However, this misses a key point of the software industry: competition can come from competing software products that do not necessarily produce revenue. Two key products that pose serious competition to Microsoft are Wine and Samba. Both allow Windows-compatible applications to run on non-Windows platforms. The leaders of both projects have expressed concern that their ability to continue could be significantly threatened under the terms of the proposed final judgment.

The judgment does try to protect access to APIs, which could protect competing software products regardless of whether they produce revenue. However, the definitions of APIs were written such that the above mentioned products, and others, might be precluded from accessing them.

I am writing this because I am concerned that without access to these APIs, the software industry itself is threatened. The company for whom I work depends on open source products in order to achieve the gross margins it does. At previous companies, this has also been true. Restricting free products' ability to compete, as I believe the proposed final judgment does, restricts the software industry's competitiveness while enhancing Microsoft's position in the marketplace. Such an outcome is clearly not in the interest of the American public.

Sincerely,
--Juan Lang
Director of Software Engineering
Cranite Systems, Inc.